

IN THE UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

EDWIN MALPICA GARCIA,

Plaintiff

V.

A. JORDAN, ET AL.,

Defendants

.....

CIVIL NO. 3:CV-15-2447

(Judge Brann)

ORDER

January 11, 2016

In accordance with the accompanying Memorandum, **IT IS HEREBY**

ORDERED THAT:

1. Plaintiff's in forma pauperis motion is construed as a motion to proceed without full prepayment of fees and costs and the motion is **GRANTED**.¹
2. Garcia's action is **DISMISSED WITHOUT PREJUDICE**.

¹ The Clerk of Court is directed to issue the Administrative Order to the Warden directing the Warden to begin deducting money from the inmate's account in the manner described in the Administrative Order.

3. The Clerk of Court is directed to **CLOSE** the case.
4. Plaintiff's motion seeking appointment of counsel (Doc. 3) is **DENIED AS MOOT**.
5. Any appeal from this Order will be deemed frivolous, without probable cause and not taken in good faith.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge